

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments filed 12/21/2007 has been fully considered, but they are moot in view of the new grounds of rejection.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 3, 6, 13-14 & 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Aristides, (U.S. Pat # 5,630,119).

Considering claim 19, the claimed information apparatus, comprising, '*an acquisition unit operable to acquire first program guide information, the first program guide information including broadcasting time information*', is met by the operation of the EPG 38a-38d, which creates an EPG display from EPG data received from the headend 22, including broadcasting time information, see col. 3, lines 30-45; col. 5, lines 42-67.

*'production unit operable to produce second program guide information from the first program guide information, the second program guide information including the broadcasting time information of the program for every time slot spanned by the program, the time slots being in lengths of an hour, 30 minutes or 15 minutes',* reads on the data records for a particular program in Aristides, which includes the broadcast start/end time of the program and thus includes the relevant 30 minutes time slots, col. 4, lines 48-67.

*'allocation unit operable to allocate the second program guide information as one or more EPG clone objects in a retrieval table for retrieval based upon the time slots spanned by the program, each of the clone EPG objects being allocated to a single one of the time slots spanned by the program', and 'retrieval unit employing a given one of the time slots as a search condition to set retrieval processing, the retrieval unit being operable to retrieve a respective one of the clone EPG objects for the second program guide information from the retrieval table using the given time slots as the search condition',* Aristides teaches that each data record for a program stored in the database and thus stored in the user's EPG memory has a bucket number that corresponds that program to particular time slot(s), Fig. 3-Fig. 4.

Each unique bucket number is assigned to a unique 30 minute time slot, in a particular week, for instance a four-week period would contain  $(24 \times 2) * (7 \times 4) = 1344$  bucket numbers. Therefore, as per the example of Fig. 4, if a program has duration of 1.5 hours, the instant program would have a clone object that spans 3 bucket numbers, i.e.,  $3 \times 30$  minute time slots.

As for the feature of, *'retrieval unit employing a given one of the time slots as a search condition to set retrieval processing'*, Aristides discloses that the system may retrieve program data for one or more programs by retrieving a particular bucket number, such as # 348, which meets the claimed subject matter, see col. 5, lines 42-60.

*'wherein a program table for displaying information of the program to a user is generated based on the respective clone EPG object'*, reads on the operation of Aristides, col. 3, lines 35-67 & col. 6, lines 1-35.

Considering claim 20, the claimed information processing method, comprises steps that correspond with subject matter mentioned above in the rejection of claim 19, and is likewise treated.

Considering claims 3 & 6, the claimed apparatus and method comprising,

*'means for inputting a broadcast time to be retrieved'* and *'means for executing program retrieval on the basis of the input time and the retrieval table'*, is met by the discussion in Aristides that programs can be retrieved based on its bucket number(s), see col. 5, lines 42-57; col. 6, lines 52-61.

*'processing means for reading stored program information of a retrieved program and carrying out display processing to display the information of eth program to the user'*, reads on the operation of Aristides, col. 3, lines 35-67 & col. 6, lines 20-42.

Considering claims 13-14, the claimed subject matter reads on Aristides retrieving and displaying all EPG data for a particular channel for particular time slots, col. 5, lines 1-5; col 5, lines 45-65; col. 6, lines 1-20; Fig. 2-Fig. 4.

5. Claims 2, 5 & 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aristides in view of Eick, (U.S. Pat # 5,812,124).

Considering claims 2, 5 & 17-18, Aristides does not teach displaying the EPG according to the program genre. However, Eick teaches sorting/filtering programs according to genre or category, (Fig. 4; Fig. 7; Fig. 8; col. 7, lines 25-65). It would have been obvious for one of ordinary skill in the art at the time the invention was made, to modify Aristides to display the EPG according to program genre, at least for the desirable advantage of making program selection more efficient, as taught by Eick, col. 2, lines 45-67 & col. 3, lines 5-20.

*Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Coleman Teaches organizing/transmitting EPG data with respect to broadcast time slots, see Fig. 5; col. 7, lines 35-60; Table 1.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Any response to this action should be mailed to:**

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to REUBEN M. BROWN M. Brown whose telephone number is (571) 272-7290. The examiner can normally be reached on M-F(8:30-6:00), First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Kelley can be reached on (571) 272-7331. The fax phone numbers for the organization where this application or proceeding is assigned is (571) 273-8300 for regular communications and After Final communications.

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